IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.10177 of 1997

Between:

1 P. Nagamalleswara Rao S/o. Venkateswararao
R/o. Lalbahadurnagar, Krishnalanka, Vijayawada-520013 Krishna

Dist.
2 N. Ramakoteswararao S/o. Krishnamurthy
R/o. Gandhinagar, Vijayawada-520003, Krishna Dist.
3 P. Suribabu S/o. Venkateswararao
R/o. Lalbahadurnagar, Krishnalanka, Vijayawada-520013 Krishna

Dist.
4 Mallela Koteswara Rao S/o. M. Seshaiah
R/o. Kunikamapadu, Kanchikacherla Mandalam, Krishna Dist.

..... PETITIONERS

AND

1 The Superintending Engineer, Irrigation Circle,
Vijayawada-2, Krishna District.
2 The Executive Engineer, Special Division, Irrigation Circle,
Vijayawada, Krishna District.
3 The Executive Engineer, Eastern Division. Irrigation Circle,
Vijayawada-2, Krishna District.
4 The Executive Engineer, Central Division, Irrigation Circle,
Vijayawada-2, Krishna District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of

Mandamus or any other appropriate writ declaring the action of the Respondents in not issuing the tender schedules of the works contracts to the petitioners herein as illegal arbitrary and unreasonable and for a consequential direction directing the Respondents to issue tender schedules to the petitioners and to receive the same from the petitioners and execute the agreements with the petitioners if they are successful in the tenders without insisting to produce the commercial tax clearance certificate.

Counsel for the Petitioners: MR.V.CH.NAIDU (Not present)

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEVELOPMENT.

The Court made the following:

ORDER:

The present writ petition is filed seeking to declare the action of respondents in not issuing the tender schedules of works to the petitioners as illegal and arbitrary and consequently to direct the respondents to issue tender schedules to the petitioners, receive the same and execute the agreements with the petitioners, if they are successful in the tenders, without insisting to produce the commercial tax clearance certificate.

When the matter is taken up today, none appears for the petitioners. Learned Government Pleader for Irrigation and Commercial Area Development submits that by lapse of time the prayer in the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J.

Date: 07.03.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Superintending Engineer, Irrigation Circle,
Vijayawada-2, Krishna District.
2 The Executive Engineer, Special Division, Irrigation Circle,
Vijayawada, Krishna District.
3 The Executive Engineer, Eastern Division. Irrigation Circle,
Vijayawada-2, Krishna District.

4 The Executive Engineer, Central Division, Irrigation Circle, Vijayawada-2, Krishna District.

5 Two CCs to GP for Irrigation and Commercial Area Development,

High Court of AP, Hyderabad (OUT)

6 Two CD copies

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